

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DAVID DARNELL NELSON JR.,

Plaintiff,

v.

CAPTAIN GEGARE, ET. AL.,

Defendants.

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ORDER

Case No. 18-cv-925-jdp

Plaintiff David Darnell Nelson Jr. has filed a proposed civil complaint and requested leave to proceed without prepaying the filing fee. To evaluate plaintiff's request to proceed with prepayment of the filing fee, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than November 28, 2018. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff David Darnell Nelson Jr. may have until November 28, 2018 to submit a trust fund account statement for the period beginning approximately May 7, 2018 and ending approximately November 7, 2018. If, by November 28, 2018, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this

action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 7<sup>th</sup> day of November, 2018.

BY THE COURT:

/s/

PETER OPPENEER  
Magistrate Judge